

Police Conduct Oversight Commission

Minutes

Regular Meeting October 11, 2016

Starting at 6:00 p.m.

350 Fifth Street, Room 241, Minneapolis, MN 55407

Commission Members Present: Andrew Buss, Andrea Brown (Chair), Amran Farah, Jennifer Singleton (Vice Chair), and Laura Westphal.

Commission Members Absent: Adrianna Cerillo, and Afsheen Foroozan.

Staff Present: Imani Jaafar - OPCR Director, Ryan Patrick - Police Conduct Operations Supervisor, Gabriel Ramirez, and Kaela McConnon.

Chair Brown called the meeting to order at 6:02 p.m.

A quorum of the Commission was present.

Singleton moved to adopt the meeting agenda with the following addition: amend item 6B to include a peace forum presentation by Jacque Erickson.

Seconded.

No discussion. All-in-favor. None opposed.

The motion carried.

Singleton moved to adopt the meeting minutes from September 20, 2016.

Seconded.

No discussion. All-in-favor. None opposed.

The motion carried.

Public Comment

David Bicking:

- Commented on case summary number five indicating that there are issues not being addressed in the summaries and that members of the community have and are experiencing difficulties getting complaints to the OPCR.
- Stated that officers use foul language, illegally search and seize among other things and are required to report misconduct among one another, they never have to answer difficult questions regarding their conduct, creating a double standard.

New Business

OPCR and IAU Quarterly Report Update

Pending Approval

Imanii Jafaar, Director of the Office of Police Conduct Review, addressed the Commission. The following were the main points from her presentation:

- Had the opportunity to present the new portal in a press conference, which contains new ways of searching for and viewing data; is looking forward to the Commissioners accessing and using the databases.
- Complaints by quarter and precinct will still be kept quarterly but the portal will update every two weeks.
- The portal allows for many new ways for information, including complaints and publicly available officer information, to be viewed, accessed, and isolated and will become a valuable tool for the Commission.

With the conclusion of the presentation from Director Jafaar, the Chair recognized Ryan Patrick, who addressed the Commission. The following were the main points from his presentation:

- The Commission started in 2012; the data contained in the portal dates back to 2013.
- It has complaint mapping capabilities, which was of great interest to the City Council.
- Coaching is a tool used to resolve some complaints, when one is filed that alleges a low-level allegation, the supervisory staff makes a determination on policy education and ways to improve behavior, which is documented and sent back to the office, on the dashboard within the portal an individual can see the number of individuals sent for coaching, a breakdown by precinct, and proportions of those who did and did not receive coaching.
- The portal also has the ability to look at the review panel's decisions on a month- by-month basis in addition to the ability to add more information as time goes along.

With the conclusion of the presentation from Ryan Patrick, the Chair recognized Imani Jafaar, who addressed the Commission. The following were the main points from her presentation:

- Training and coaching is not considered discipline, but is performance mentoring, the rest of the numbers are discipline and those go to the Chief to determine discipline.
- The numbers are now more accessible and interactive than the in the past and can be broken down by race, age, and gender.

With the conclusion of the presentation, the Chair opened the floor for discussion. The following is a list of speakers and an abstract of their individual comments:

Farah – asked if there is a distinction between public allegations and non-public.

Jafaar – indicated that the information provided is in compliance with the Data Practices Act.

Brown – asked how far in the past the officer information dates back to.

Pending Approval

Patrick – stated 1991 through 2016, noting that retention is six years.

Singleton – asked if the data contained in the portal with discipline is the same timeframe since the OPCR began.

Patrick – indicated that complaints filed before 2013 were generated from the CRA and are not captured; this system is purely looking at complaints filed and closed stating that it is an incredibly comprehensive system and can be changed and adjusted as necessary.

Jafaar – indicated that Mr. Patrick, with some assistance from IT, built the system.

Buss – indicated that he appreciates the ability to go in and isolate data sets and is looking forward to going in and viewing the information available.

Jafaar – mentioned that the yellow cards are ready to go and training will begin from sergeant and above next Monday night.

Brown – asked if there has been any progress made on the lock boxes.

Jafaar – indicated that there is public and Commission support and are currently looking at pricing lock boxes stating that they hope to have the program rolled out in the near future.

Unfinished Business

Outreach Committee

Commissioner Westphal addressed the Commission. The following were the main points from her update:

- There is no Outreach Chair Report for this month.
- It was mentioned at the last meeting to have more information sent back to the Commission with regard to providing details on how the peace forum project would look moving forward.
- The purpose is to open a dialogue between the City of Minneapolis, the MPD, and the community, to be operated respectfully setting standards for dialogues between the community, police, and politicians.
- The panel will consist of 6-8 members potentially consisting of Bob Kroll, Sergeant Anna Hedberg, Cindy Booker, who is the Director of Seabathani, Officer Lisa Clemmons, among others.
- Issues addressed will be narrowed to policing and members of the community will be given comment cards to ask questions or provide comments.

Pending Approval

With the conclusion of the update from Commissioner Westphal, the Chair recognized Jacque Erickson of Hacienda La Paz to address the Commission. The following were the main points from her presentation:

- Indicated that not everyone is confirmed, but are currently waiting for responses and is extending an invitation to Chair Brown to represent the PCOC.
- Have met with the Hook and Ladder Theater for space to hold the event and has been working with Nubeo Rodeo for food services.
- The forum will be broken up into two parts, one will be a town hall format.
- Lonnie McLaughlin will be moderating the event and is assisting with developing questions.

With the conclusion of the presentation, the Chair opened the floor for discussion. The following is a list of speakers and a brief abstract of their individual comments:

Buss – indicated that his biggest concern involves the questions and how they are formed stating that this could alter the tone of the event.

Farah – clarified that in the first session the audience is only able to watch and not ask questions, asked about diversity of the panelists, and if it would be the same panel for both sessions.

Erickson – indicated that there will be no comments for either of the sessions but the audience is invited to fill out a comment card. She also indicated that the group is committed to diversity, which has been a focus throughout this process, and that the second session would be much bigger covering a wider range of subjects.

Brown – indicated that the Outreach Committee is the most appropriate venue for this type of event and expresses concern that since the OPCR is not represented on the panel the PCOC may become used in the process.

Erickson – indicated that she feels that this will provide the PCOC with more exposure to the community.

Buss – stated that he likes the idea but indicates that the PCOC is a bridge and does not hold a position; everyone on the panel will have a position but the PCOC does not.

Erickson – stated that the forum is about police conduct, mentioning issues with officers living outside of the community only coming in to deal with crime.

Singleton – indicated that there was a forum via the City Council after the Ferguson even, which was similar, stating that she can see the point of the PCOC attending but expressed concerns over what the role of the PCOC should be.

Policy and Procedure Committee

Commissioner Singleton addressed the Commission. The following were the main points from her update:

- All members were present in September.
- Reported on the co-responder pilot program.
- Has a meeting scheduled with Policy Analyst McConnon and county officials next week.
- Commissioner Foroozan presented the draft of the Chief's Performance Review, which included six metrics to use in measuring performance and providing feedback, including community feedback.
- Commissioner Foroozan will continue working with Mr. Patrick and will be presenting the official draft at the next full Commission meeting.

Audit Committee

Commissioner Buss addressed the Commission. The following were the main points from her update:

- There is no written Audit Chair Report for this month.
- All topics for discussion were discussed this evening, which included the online system, tracking information, and complaint filing.
- The next meeting will be the first Tuesday of November.

Chair Report – NACOLE Conference

Chair Brown addressed the Commission. The following were the main points from her update:

- LA always provides good information and good ideas; one of the panelists has a daughter working with a teen court in various counties in Minnesota and is hoping to create a connection there.
- The next conference is in Spokane Washington and the PCOC has been asked to present on our hybrid indicating that many oversight commissions do not run or function as well as the PCOC does.

Unfinished Business

2016 Selected Case Summaries: September Case(s) 5, 8, and 10

The Chair opened the floor for discussion on the case summary data from September 2016. The following is a list of speakers and an abstract of their individual comments:

Pending Approval

Case Summary Number Five:

Singleton - noted the issue of officers refusing to take complaints and asked if it was the desk officer that was identified and if any action was taken on the complaint.

Ramirez – indicated that as he understood it, there was no discipline issued stating that the focus was on the officers on the scene and not what took place after the incident.

Case Summary Number 8

Westphal – stated that she has been on the Commission for two years and has learned that what it takes to get an officer fired is lying, despite brutality and paying out legal sums.

Farah – stated that by far this was one of the most interesting cases to read but it was not clear what the actual consequence was for the officers; both officers were lax and violated procedure.

Case Summary Number 10

Singleton – within the complaint there was an allegation of sexual assault; complainant was saying no and the officer persisted, asking if at that point would there be a criminal investigation.

Jafaar – indicated that there is a specific way in which those cases are handled; a criminal investigation is walled off and OPCR reviews the administrative side. If the IA commander signs off on it the complaint goes to the joint supervisors, some of the criminal material can be shared but it is best practice to keep those separated.

With no further discussion on the matter, the Chair moved to the next item on the agenda.

Audit Summary and New Case Selection

Buss:	2, 5, 6	Singleton:	5, 6, 9
Cerillo:	Absent	Westphal:	1, 6, 9
Farah:	2, 6, 10	Brown:	2, 9, 10
Foroozan:	Absent		

Chair Brown indicated the new case selections for discussion at the October 2016 meeting are **case numbers 2, 6, and 9** as the top picks, which were then selected by **unanimous consent of the Commissioners**.

With no further discussion on the matter, the Chair moved to the next item on the agenda.

Adjournment

Pending Approval

With all of the Commission's business concluded, the Chair entertained a motion:

Singleton moved to adjourn.

Seconded.

All-in-favor. None opposed.

The motion carried.

Chair Brown adjourned the meeting at 7:36 p.m.